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## FEBRUARY MEETING.

THE stated meeting was held on Thursday, the 13th instant, at three o'clock, P. M. In the absence of the President, and the first Vice-President, the second Vice-President, Mr. RHODES, occupied the chair.

The record of the last meeting was read and approved.

The Cabinet-Keeper reported the following accessions:

From Mrs. John Storer Cobb, a photogravure of Mr. Cobb.

From Mr. Clarence S. Brigham, a photostat of an engraving on the cover of a copy-book, owned by Mr. F. J. Libbie, January, 1919, which may have been engraved by Paul Revere.

From Charles Hunt, a framed photograph of Mayor Josiah Quincy's Merchants' Municipal Committee of Boston, 1896, composed of Josiah Quincy, Jerome Jones, Jonathan A. Lane, Abraham Shuman, Robert M. Burnett, James P. Stearns, Andrew G. Webster, and John C. Cobb.

From Mrs. Eliza Ware Thayer and Mrs. Mary Ware Sampson, of Cambridge, daughters of Col. Henry Ware, H. C. 1843, who was Governor Andrew's Secretary, a large framed photograph of Governor Andrew and his military advisers, taken in 1865. It is reproduced, with names, in Pearson, *Life of John A. Andrew*, II. 290.

From the Boston Numismatic Society, 196 coins and medals.

By purchase: an engraving of George Washington by Justus Chevillet after a design by Bounieu, being the second issue; and photographs of Bunker Hill Monument (1918) and the Washington Elm, Cambridge, by D. W. Butterfield.

By exchange, 26 Massachusetts Colonial Notes.

The Corresponding Secretary reported the receipt of a letter from Dr. John W. Farlow accepting his election as a Resident Member of the Society.

The Editor reported the following gifts and deposits:

From Mrs. Robert S. Russell, the gift of the MS. of the address of Thomas Handasyd Perkins at the laying of the corner-stone of the Boston Exchange, August 2, 1841. The building was in State

Street, between Congress and Kilby, on the site of the United States Bank, which had purchased from David Sears in 1797, and had transferred to the State Bank in 1812. Twenty-four years later the bank building was sold to Samuel Dana and others, by whom it was sold to the Boston Exchange company in 1840. Also a broadside issue (the first?) of a poem on "The Radical Club, by an Atom," written by Mrs. Katherine McDowell, 1875, with the names of the members mentioned added in ms.

From Fred Joy, the order issued by F. W. Lincoln, Jr., Mayor of the City of Boston, July 14, 1863, to Captain Lucius Slade, of the Light Dragoons, to be prepared to suppress any outbreak against the Draft Law.

From Frank J. Wilder, legal papers of various dates.

The deposit, by Mr. Edward W. Atkinson and Mr. Ernest Winsor, of the papers of Edward Atkinson, whose many contributions to economic knowledge are still bearing fruit. Possessing a most active and suggestive mind, devoted to the betterment of social conditions and to a clearer understanding of the relations between labor and capital, production and distribution, markets and natural conditions, Mr. Atkinson discussed the public questions of the day from a broad point of view, and his writings embody the results of his studies and controversies for a period of nearly fifty years, when questions of currency, tariff, production and labor were pressing for solution.

The Editor also stated that Mr. W. B. H. Dowse had provided for the publication by the Massachusetts Historical Society of the Journals of the Massachusetts House of Representatives and other state records. The importance of this liberal provision can not be measured in mere words. Massachusetts is the only one of the original thirteen states which has neglected to publish its early records and archives, the source from which the history of colony and state as well as family records and local history must be drawn. Mr. Dowse practically assumes what should have been the undertaking of the state, and thus provides upon a most generous and public spirited scale the publication of what must always possess unique value in itself and great relative value in the history of the nation. The political development of New England exerted a lasting influence upon the political development of the nation; and these records will embody a contribution to history and genealogy such as no other state, except Virginia, can give.

On motion of Mr. Wendell it was voted that

the Society desires to express its sense of the great service rendered to Massachusetts and to national history by the generous gift of Mr. Dowse, assuring that unique records, hitherto in danger of injury or loss, shall be permanently preserved and made generally accessible to all interested.

The VICE-PRESIDENT announced the death at Newport, January 27, of Admiral French Ensor Chadwick, a Corresponding Member of the Society since March 14, 1912.

Mr. THAYER spoke of the long and able public service of the late Andrew Dickson White.

Charles Harding Firth, of Oxford, England, a Corresponding Member, was transferred to the roll of Honorary Members.

George Arthur Plimpton, of New York, was elected a Corresponding Member of the Society.

Mr. LORD reported from the Council a proposed amendment to Chapter III of the By-Laws, by adding the words: "Whenever from any cause a vacancy occurs in any office of the Society, the Council may fill the same until the next annual meeting." It will be voted upon at the next meeting of the Society.

Mr. WASHBURN read a letter from the Washington correspondent of the *Boston Evening Transcript*, printed in the paper of November 15, 1915, in which it was stated in substance that Booker T. Washington was not invited by President Roosevelt to dine at the White House but lunched there in a most informal way when making a call on business. Mr. Washburn said that he sent the article to Mr. Roosevelt who replied in a letter, from which Mr. Washburn quoted, that the article was "fifty per cent false," and that he did invite Mr. Washington to dinner. Mr. Washburn also read an account of Theodore Roosevelt's boyhood written by a member of the Roosevelt family.

Dr. WARREN exhibited the staff and gold eagle which belonged to the banner carried in the procession at the laying of the corner-stone of the Bunker Hill Monument in 1825. The staff and eagle were purchased directly from Cora E. Trask formerly of 4 Hazelwood Street, Roxbury, who wrote out for him the following statement:

The banner of Gen. Warren was carried by my grandfather at the laying of the corner-stone of the Bunker Hill Monument in 1825

and has been in my family ever since. It was used at the dedication of Gen. Warren's monument in Roxbury June 17, 1904, and was carried in the parade by Mr. Augustus Bacon, Dr. Edward Morse and others. It was taken to the Masonic Hall during their banquet and in the evening was taken to the First Unitarian Church in Roxbury (being placed at the altar), where appropriate services and speeches were made. My grandfather was Lyman T. Trask of Roxbury, who died about 1840. His father was Capt. Samuel Trask of Roxbury, a Revolutionary soldier.

Dr. WARREN also called the attention of the Society to the fact that on Thursday, January 6, 1919, many church bells were tolled to celebrate the vote passed by the state of Nebraska in favor of national prohibition, thus deciding the fate of the new amendment to the constitution.

By a strange coincidence, upon the following day he placed his hand upon a report of the Massachusetts Temperance Society of 1857-58, entitled *When will the Day Come?* illustrated on the title page by the sun rising at sea upon a shipwrecked mariner. The peal of bells seemed already to have rung out the answer.

According to the record, the Massachusetts Society for the Suppression of Intemperance was organized in 1813 and was incorporated in 1845.<sup>1</sup> On page 140 of this report, is the picture of a silver cup with the following inscription:

JOHANNI COLLINS WARREN

Medico peritissimo ac humanissimo

Amico multos per annos fidissimo

hanc crateram

sitienti nullos nisi innocuos haustus praebituram

grato animo

D. D. D.

Edvardus Everett

1 Januar. 1849.

Accompanying it is the following quotation from the diary of John C. Warren, who was made President of the Society, June 4, 1827:

<sup>1</sup> The Society exists at the present time as an organization which holds a meeting annually and distributes from its fund an income amounting to about \$1,000 among societies which the councillors feel are worthy of this help. The officers of the Society are: President, Arthur S. Johnson, Vice President, Edward H. Haskell, and Sec'y and Treasurer, J. W. Barber. The Secretary has the old Record Book of the Society.



WARREN TEMPERANCE CUP

On the whole, I can with confidence say, that, if I had never tasted wine, my life would have been more healthy, longer and more comfortable. The efforts which I have been called to make in the temperance reformation, operating as they have done more extensively on the prosperity and happiness of the community, are a source of more satisfaction than any other labors. Probably my other occupations might have been as well or better filled by some one else; but perhaps it would have been difficult to find another person who would have been willing to undergo the opposition, ridicule, labor and expense, in the cause of temperance.

The cup in question became the property of the late Mr. John Torrey Linzee and after his death had been given to Dr. Warren, March, 1918.

Dr. WARREN also gave to the Society a book entitled *History of a Zoölogical Temperance Convention held in Central Africa in 1847*, by Edward Hitchcock, D.D., LL.D., President of Amherst College, published at Northampton in 1850. On page 98 the use of tobacco is referred to with the following statement:

The substance was called Tobacco; a name which an ingenious friend of his, who was a good Greek scholar, had derived from the name of Bacchus, the god of wine. For in *declining* that name, according to the rules of the Greek grammar, it ran thus: Nominative, 'Ο Βακχος; Genitive, Του Βακχου; Dative, Τω Βακχω. The literal meaning of which latter case, is, something offered to the person or thing spoken of: viz., in this case, as he understood it, tobacco means a certain weed dedicated to Bacchus, and it was truly a most acceptable offering, for scarcely nothing else promoted his cause so much.

Mr. FORD submitted a paper on

#### EZEKIEL CARRÉ AND THE FRENCH CHURCH IN BOSTON.

In October, 1662, the General Court of the Massachusetts Bay granted a petition of John Touten, of Rochelle, France, "doctor chirurgion, in behalfe of himselfe and other Protestants, inhabitants of Rochelle, who, for their religion sake are ou[s]ted and expelled from their habitations and dwellings," to be allowed to come to Massachusetts.<sup>1</sup> It is not known when or to what extent this privilege was used, but Touten was living in

<sup>1</sup> *Mass. Col. Rec.*, IV. Part II. 67.

Rehoboth in 1675.<sup>1</sup> In the twenty years succeeding the petition the condition of the Protestants in France grew steadily worse, and New England became a desired place of refuge. Many intended to migrate thither if shipping could be had.<sup>2</sup> The revocation of the Edict of Nantes in 1685 compelled a large movement of Protestants from France, and Massachusetts gained by the emigration what it needed most, an industrious population ready to take up and develop some of the unoccupied territory. In September, 1686, Salem raised twenty-six pounds for the relief of French immigrants. None of these, says Bentley, settled in Salem. Some of the families remained in Boston, but the greater number went to the southern colonies, particularly to South Carolina.<sup>3</sup> The story of the Huguenot settlement at Oxford, Massachusetts, in 1686-87, is too well known to require more than mention.

It is generally stated that there was a French congregation in Boston in 1685, of which Rev. Laurent van der Bosch (or Bosck) was the first minister. He is said to have removed from Holland to England, conformed to the English church and received a license to preach from the Bishop of London. That such a congregation existed in Boston as early as 1685 is more than doubtful, and Van der Bosch expressly wrote to the Bishop of London, then Henry Compton, of a wish to form a congregation but also of the insuperable obstacles encountered. The full text of the letter is in the Frederick Lewis Gay Transcripts (III. 84):

Monseigneur: — Votre Grandeur scait très bien qu'au première jour d'Aoust j'eus le bonheur de recevoir l'Ordination de ses mains pour être Ministre de la Caroline, où je fus pendant deux ans, pendant lequel temps je pris la liberté d'écrire à Votre Grandeur, pour lui faire connoître l'état de mes affaires par ma première lettre je fis voir à Votre Grandeur la misérable condition où j'étois à la Caroline. La seconde fit voir comment il m'étoit impossible d'y rester d'auantage, à cause que nos françois ne pouvoient rien contribuer à ma subsis-

<sup>1</sup> Savage, IV. 315.

<sup>2</sup> 3 *Collections*, II. 58.

<sup>3</sup> 1 *Collections*, VI. 265. The conjecture of Snow (3 *Collections*, II. 62), accepted by Rev. Abiel Holmes, that a minister of the name of Laurie, who preached in Boston in September and October, 1686, was of this number cannot be maintained, as Gilbert Laurie was preaching in Portsmouth in that year in the absence of Rev. Joshua Moody. Savage believes him to have been a Scot.



tence. La Troisième monstra que j'étois sorti de la Caroline pour aller à Boston dans la Nouuelle Angleterre: Mais cette quatrième seruira à faire connoître à Votre Grandeur les outrages que les Indépendants de Boston m'ont fait, et me font encore tous les jours, parce que je suis Ministre de l'Eglise Anglicane, et parce que selon mon deuoir, je soutiens ses intérêts et sa Liturgie. Car pour auoir marié des Anglois qui étoient membres de l'Eglise Anglicane, et parce que j'en ay baptisés d'autres qui desiroient être membres de la même Eglise selon les prières communes, ils m'ont fait tous les outrages imaginables, excepté la prison, le fouette et le bannissement dont ils m'ont pourtant menacés. Mr. Mather et Mr. Moody ministres Indépendants, avec leurs adhérents sont la cause de tout ce désordre. Cependant je leur ay toujours résisté sans leur auoir jamais voulu céder en rien. Mais parce que je suis seul contre tant de personnes, qui ont icy la puissance en main, et que me menacent continuellement c'est pourquoi je prie très humblement Votre Grandeur de me vouloir protéger. Si je pouuois prescher en Anglois assurément je ferois icy des progrès avantageux à l'Eglise Anglicane mais ne sachant prescher qu'en françois, je tâche d'assembler vne Eglise françoise, je préuois bien que j'aurai de la peine pour paruenir à ce but, à cause de la foiblesse, et du peu de françois qui y sont. Je ferai pourtant tous mes efforts, et je ne suis pas resolu de retourner à Londres, à moins que la dernier necessité ne m'y oblige. Je prie Dieu qu'il daigne épandra ses plus précieuses bénédictions sur Votre Grandeur, c'est le souhait sincère de celui, qui fera toujours gloire d'être, Monseigneur, De Votre Grandeur, Le très humble et très obéissant seruiteur

Laurent Van den Bosck.

De Boston dans la Nouuelle  
Angleterre le 4. de Juillet 1685.

[Addressed:] Au Très Révérend Père en Dieu Monseigneur L'Euesque de Londres. A Londres, Où à Fulham.

[Endorsed:] New England 4 July 85. From Mons. Bosck to the Bp. of London. B. G. No. 2.

Unfortunately the three letters of earlier date written by Van der Bosch have been lost, so we are unable to give any further information on this minister's first years in America. The picture he draws of his stay in Boston has all the evidence of truth. In 1685 James II came to the throne, and the Mathers, father and son, were filled with said presentiments, a condition of mind which made them and their associates hostile to innovation or to incroachment on their particular vineyard. It was

Increase Mather and Joshua Moody, "two of the venerablest men in the land" who made the Hollander so uncomfortable. Sewall gives the definite act which brought matters to a crisis:

[September 23, 1685. Laurence Vanderbosk Fr[ench] Minister Marries Sylvester and Widdow Gillam; though had promis'd the Court to do no more such things: this about the beginning 7'r: is since gone to New York.<sup>1</sup>

Savage believes that the minister accompanied or followed the Sylvesters to Shelter Island.

Increase Mather has left no doubt of his opinion of Rev. Van der Bosch. In his somewhat overcolored picture of toleration of the Church of England in Boston, he states that

If at any time there were any number of *that way*, they could never find *Clergie-men* to undertake the care of their souls. 'Tis confessed that once or twice a Debauched *Priest* has appeared among them; particularly one *Vardenbosch*, who besides the good work of *Baptizing* a noted whore or two of his acquaintance, made private *Marriages* without any publication of *Banes* (which is a nuisance & *Bane* to all humane society); and yet so tender was the Government as only to give them some *Orall Rebukes*, upon which the guilty knaves have run away. Persons indeed that will Drink, Sweare, Fornicate, practice and preach up (the honest games of) Cards, Dice &c, have never found New-England a good Fishing ground. And others that have had more *Grace* have also (for the most part) had more *Witt* than to Cross the Ocean for a dwelling in so *Cold a Country*. And this is all the Interruption that ever the Church of England found in those parts of the World.<sup>2</sup>

The successor to Van der Bosch is said to have been Rev. David de Bonrepos, "who came from the island of St. Christopher to Boston in 1686, but subsequently in 1687 removed to New Rochelle, Staten Island, and New Paltz, in the New

<sup>1</sup> *Diary*, i. 98. It was Giles Sylvester, son of Nathaniel, the purchaser of Shelter Island and known for the shelter he gave to the persecuted under Endecott and Bellingham. The bride was Hannah, daughter of Thomas Savage and widow of Benjamin Gillam.

When Rev. Mr. Ratcliffe arrived in Boston in 1686 to preach to a congregation of the Church of England there was no question of a French congregation or a French minister of that church.

<sup>2</sup> *Andros Tracts* (Prince Society), II. 36.

York province.”<sup>1</sup> No authority is cited for the presence of De Bonrepos in Boston, and nothing is certainly known of the succession of ministers, if any, until the coming of Pierre Daillé in 1696 from New York.

One link in the chain of succession may now be supplied from a tract of which only one copy is known, that in the American Antiquarian Society. The title-page is reproduced on the following page, and from it may be learned that Ezekiel Carré, once minister in the little town of La Roche-Chalais, in Dordogne, France, was actual minister of the French church in Boston in 1690. Of Carré little is known.

In 1685 Richard Wharton, Elisha Hutchinson and John Saffin, a committee for the proprietors of the Narragansett Country, entered into an agreement with Ezekiel Carré, Peter Berton and others, “French gentlemen, their friends and associates,” for a settlement of a place called the Newberry Plantation, in the Narragansett Country. As the proposed location was far from the sea, a positive disadvantage when transportation by land was difficult or costly, in November, 1686, an agreement was made between the same parties,

to lay out a meet and Considerable tract of Land in the Township of Rochester [now Kingston] about the long meadow Kickameeset, above Captain John Fones his house, wherein each family that Desire it shall have one hundred Acres of upland in two divisions; Vizt. a houselott Containing Twenty Acres, being Twenty Rodd broad in front, laid out in Due Order with a street or high way of six Rodd broad to Run betweene the said Lotts upon which they shall front.

Secondly. That the second Divission to make up the said hundred acres of upland shall be Laid out on the Western side of the said houselots as neere as the Land will beare, That all the said meddow with that which lyeth adjacent betweene the southerne purchase and west line that is to Run from Jno. Andrews norther Corner above the path shall be divided into one hundred parts, each one to have his proportion according to the quantity of Land he shall take up

<sup>1</sup> Freeland, *Records of Oxford*, 138. David de Bonrepos was a witness, in 1713, to the will of Mark Dusochany, of Richmond County, N. Y., and in 1719 the will of Elie de Bonrepos, of New Rochelle, was proved, with bequests to children Elie and Esther. *N. Y. Hist. Soc. Coll.*, 1893, 127, 189. In 1734 the will of Rev. David de Bonrepos, minister in Richmond county, was proved, mentioning wife, Martha, Blanche de Bonrepos, wife of Henry Chaden, and three sons of Alexander de Bonrepos. *Ib.*, 1894, 148.

# Echantillon

*De la Doctrine que les Jésuites enseignent  
aus Sauvages du Nouveau Monde, pour les convertir tirée de  
leurs propres Manuscrits trouvés ces Jours passés en Albanie  
Proche de Nieu-yorke*

## Examinee

Par *Ezechieel Carre* cy deuant Ministre de la *Rochebalaïs* en  
*France*, à present Ministre de l'Eglise Française de *Boston* en  
la Nouvelle Angleterre.

*Epreuve's les Esprits S'ils sont de Bien.*

I Jean 4. 1.

Imprimé à *Boston* par *Samuel Green*. 1690.

and subscribe for; That there shall be laid out for the said Mr. Ezekiel Carré the present minister One hundred and fifty Acres of upland in the same manner and meadow proportionable gratis to him and his heires for ever, and one hundred acres of upland and meadow, proportionable to an orthodox Protestant ministry and Fifty Acres of like Land towards the maintenance of protestant schoolemasters for the Towne forever.<sup>1</sup>

The Narragansett Country, otherwise called the King's Province, was one of the divisions placed by James II under the government of Edward Randolph and the royal Council; and in June, 1686, a meeting of the four commissioners appointed from that Council — Joseph Dudley, John Winthrop, Edward Randolph and Richard Wharton — held a session at Rochester to pass upon questions pertaining to the King's Province. With them were associated Elisha Hutchinson and John Saffin, so that the three men who were probably the most active in the Narragansett Country proprietors were represented on this commission. Among other matters they altered the name of Rochester to Kingston and fixed its bounds as follows:

[they] shall be accounted to begin at Mill River, to the eastward of James Reynolds, Sen'r his house, and to extend to the westernmost bounds of the tract of land commonly known by the name of Pettequamscot, as it is bounded by the agreement made the 25th of December, 1679, including the northern and southern tracts, purchased by the late John Winthrop, Esq'r, and others; also said Pettequamscot tract, and the inhabitants thereof.<sup>2</sup>

Into the long dispute over the ownership and jurisdiction of this tract it is not proposed to go. The settlement of the colony of French was intended to exclude the encroaching interlopers, and obtain some return from the lands. Forty-five French families took up land, built a church and twenty-five houses and with native thrift prospered until dispersed by violence in the contest for jurisdiction between Massachusetts Bay and Rhode Island. Of the whole number of forty-five families who had settled at Frenchtown, all but two left for New York, and those two removed to Boston. But two individuals remained in the colony. These settled at Newport

<sup>1</sup> A copy of the agreement is in Trumbull Papers, xx. 114, and is printed in 5 *Collections*, ix. 171. The copy does not give the signatures of the French associates.

<sup>2</sup> *R. I. Col. Rec.*, III. 201.

and appear as the first signers of the petition — in favor of an Episcopal church in Rhode Island.<sup>1</sup>

Carré appears to have departed for Boston.<sup>2</sup> The year and the occasion of his coming are not known any more than the time and cause of his leaving Boston. Savage believed that Pierre Daillé was the first minister of the French protestant church, and that he came about 1686; but this is ten years too early, for Daillé did not resign from his New York church until 1696, when he accepted a call from Boston. Between the departure of De Bonrepos (if he ever served the Boston church) and the coming of Daillé, a period of nine years, Ezekiel Carré entered, but left so shadowy a mark as to have been completely forgotten. He is known to have preached in Boston in 1689, for his sermon on *The Charitable Samaritan* was translated by Nehemiah Walter and published by Samuel Green in that year. That was pronounced "in the French Church at Boston."<sup>3</sup>

The second sermon, printed in French, is interesting not only as a newly discovered record of Carré's connection with Boston, but also for its contents and for its association with Cotton Mather. Carré had access to certain writings of the Jesuit Father, Jacques Bruyas,<sup>4</sup> missionary to the Iroquois. Among them was a Catechism in the "Onneiout" language, with a Latin version, page for page. In twenty-four chapters the principal points of religion were set forth, but it was the fourteenth and fifteenth chapters which most impressed the French protestant and aroused his apprehension on the teaching thus conveyed to the Indians. In an introductory letter addressed to "Messieurs Les Anciens de l'église Française de

<sup>1</sup> The two names on the petition were Gabriel Bernon and Pierre Ayrault. Arnold, *History of Rhode Island*, I. 497, 559. See *Cal. State Papers, America*, 1704-1705, 697.

<sup>2</sup> The account of Carré in *Collections of the Huguenot Society of America*, I. xviii, is too confused to be accepted. A family of Louis Carré is mentioned in the records of the New York church.

<sup>3</sup> Evans, 464.

<sup>4</sup> Bruyas was born at Lyons in 1637 and came to Canada in 1665. From that time until his death in 1712 he was among the Five Nations. He spoke the Mohawk perfectly and knew the various dialects of the Iroquois. From 1693 to 1700 he was at the head of all the missions in Canada. There is in the Catholic Church, at Caughnawaga, Canada, a *Catechisme agnier* in the Mohawk language, of his composition, a MS. of 27 ll. A portion of a letter is reproduced in *Jesuit Relations* (Thwaites), LI. 142. See also *Ib.*, L. 323, and Pilling, *Bibliography of the Iroquoian Languages*, 22.

Boston" he believes that they could never have seen "en peu de mots ce que l'Enfer a enfanté de plus odieux," or that ever there had come from the depths (*pays de l'Abyme*) clouds as dense as these locusts (*sauterelles*) had spread in the New World! Likening the Jesuits to the locusts in the ninth of the Apocalypse he believed that surely their five months were not far from coming to an end, for it was not possible that God would wish further to endure those abominations.<sup>1</sup>

The part of the *Catechisme* examined was as follows:

#### CHAPITRE 14<sup>e</sup> DU PARADIS

L'Indien Prosélyte demande, comment la terre qui est en Paradis est elle faite, est elle belle?

Le Pere Jesuite répond. Elle est tres belle, il ny manque rien de tout ce qu'on peut manger ny de tout ce qui est nécessaire pour se vêtir, on y est heureux en tout si qu'écun dit, je desire d'être vêtu d'un tel habit, aussitôt voila ce't habit qui se pre'sente, desireton de manger qu'écue chose, Jesus Christ l'apporte aussitôt. D. Travaille t'on dans le ciel. R. on ny fait rien du tout, on n'y sème point et on ny est point obligé' de labourer les Champs parce qu'il y a toujours du froment meur, il a en tout téms des Citrouilles et des fe'ves d'Inde, &c. D. Les Arbres y sont ils faits comme ici bas? R. Non, car les arbres du paradis sont extremement beaux, ils sont toujours fleuris, et leurs feuilles toujours vertes ne tombent jamais, les herbes ny meurent point. D. Ya til un soleil comme celui qui Luit ici, y pleut-il y fait il du vent, y tonne til? R. Non, car il y fait toujours clair, et jamais le ciel ny est Brouillé. D. Y a til des fruits dans le Ciel? R. Il y a apparence. D. Comment ces fruits sont ils faits? R. Ce sont des fruits excellens, ch'aque arbre en est chargé', on en cueille tous les jours, cependant on ne'n voit point la fin, parce que vous ne'n ave's pas plutôt mangé' un, qu'un autre naist aussitôt en la place. D. fait il froid dans le Ciel? R. il n'y a point d'hyuer, mais un été' continue'l. D. Y a til beaucoup d'habitans dans le Ciel? R. Il y en a un tre's grand nombre. D. Se connessent ils tous? R. Ils se connessent et ils sont parens, ils se saluent tous reciproquement et ne se refusent rien les uns us autres. D. Les habitans du Ciel sont ils beaux? R. Ils sont tous très beaux, car ceux qui á lenr mort étayent difformes seront racomodés, ils ne seront plus aveugles, ni sourds ni boiteux, car on les refera tous dans le Ciel. D. On n'est donc point malade dans le Ciel? R. Non,

<sup>1</sup> Revelation, ix. 5.

on y viura dans une grande tranquillité, il n'y aura jamais de peste, de famine ni de guerre et on n'y mourra plus. D. S'ennuye t'on dans le Ciel? R. Non, car cènt ans sont comme si vous n'avies passe' qu'un jour ils prennent un grand plaisir á se regarder les uns les autres.

Into the clergyman's examination of the doctrine we need not enter. He had gained the countenance of Cotton Mather, ever ready to turn his pen to aid in spreading good doctrine by means of the printed page. At Carré's request, or quite as likely at his own instance, Mather wrote a preface. In all probability the French translation was made by Carré, for Mather did not again print in French until 1704,<sup>1</sup> or write in that language until 1724.<sup>2</sup> Confident as he was of his own abilities, there are too few evidences in his own writings of a knowledge of French sufficient to compose in that language. As early as 1687 he had shown good intentions towards the French refugees, now coming in every form of wretchedness by way of the West Indies:

As I would show all the Kindness that I can unto the *French Refugees* arrived in this Countrey, so I would earnestly recommend it unto their Ministers to awaken that People unto a greater Observation of the *Lord's Day*; by the Neglect whereof they have given too much Scandal.<sup>3</sup>

The preface follows:

#### PRÉFACE DU DOCTE ET REVEREND MINISTRE

Monsieur *Cotton Mather* pour Servir d'approbation au présent écrit.

IL Est beaucoup plus aisé de dire pour quelle fin les Diables ont abusé les premiers habitans decés affreux deserts del'Amèrique, que de découvrir par quellevoie ils y sont venus. Lors que lèclattante *trompette* de l'Evangile resonna dans le monde Ancien, Les Diables se Consolèrent dans la Satisfaction, d'àvoir dans *le nouveau monde*, une prodigieuse multitude depeuples, sur lesquels ils s'áttendayent

<sup>1</sup> *Le Vrai Patron des Sains Paroles*, Boston, 1704.

<sup>2</sup> *Une Grande Voix du ciel à la France*, of which no copy is known. It was printed at Boston, at Mather's cost, and was to be sent to France. The first textbook was Thomas Blair's *Some short and easy Rules, teaching the true Pronunciation of the French Language*, Boston, 1720.

<sup>3</sup> *Diary*, I. 134.



derègner bien lontèms paisiblement et sans contradiction. Mais la derniere arrivèe des Européens, dans ces Lieux, a donne' uneterrible allarme aces anciens hôtes Infernaux, et les a fait aprehender de perdre leurs sujets, ausquels on présentait le se'gneur Jesus Christ. *La Religion Chrétienne* est donc apresent transplantée dans L'Amèrique, ou on ne pratiquait autrefois que L'infame doctrine des Diables; Mais cèst par de diffèrens Motifs, et par conse'quent par des manieres differentes, que cette Sainte Religion est prechèe, a present aus Sauvages de ces malheureuxdeserts. Les *Eglises Protestantes Reformées dela Nouvelle Angleterre*, ont fait beaucoup de depense, et pris beaucoup depène, pour convertir les Indiens á la foy; et quoyqu'ils Nous ayent ètè plus á Charge qu'à profit, nous navons pas laisse, detravailler a établir parmy eus plusieurs Eglises bien reglées, et á faire Imprimer *la Bible* et plusieurs autres bons Livres en leur langue Barbare; Levenerable Monsieur *Jean Eliot* est celui quy a travaillè heureusement á ce noble Ouvrage; ainsi ceque nous avons fait en cette rencontre, a ètè' purement pour L'amour du se'gneur Jesus, desa *verité & deses voyes*; tellement que la conversion d'un indien parmy nous est Une plus grande production, que mille autres de celles qu'on vante tant ailleurs; parce que nôtre dessein nà pas ètè de faire la Chose a demy mais d'amener l'ouvrage á sa perfection. Dautrecoètè, *L'Eglise Romaine* nà pas ètè' oiseuse, dans cette entreprise; carou Dieu a son Eglise le Diable ya aussi sa Chapelle. Les *Missionnaires duPape* nont pas manquè de se transporter dans ces Lieux où les richesses des Sauvages les appelloyent ils ont aportè á ces povres miserables vne partie dela foy Chrétienne, deguiseè et corrompue des abominations du papisme, qui n'est autre Chose au fonds qu'une copiè fidele du Paganisme. Il m'est tombé depuis peu, entre les mains, par vne rencontre imprèvue, les papiers Originaux dun *Jesuite Francais* Emissaire de *Canada*, pour les Indiens du voisinage; [et] mon Reverend Ami, *Monsieur Carré*, a extrait ce petit *Echantillon* des principes empoisonnés, que ces convertisseurs Papistes insinuent á leurs proselytes, qui n'en continuent pas moins d'*estre Enfants de la Ge'ne* qu'auparavant; cèt Extrait est fait avec beaucoup de bonne foy et d'integrité'; et je ne Souhaitte par seulement qu'il Inspire, a tous les hommes vne juste Indignation pour détruire le Papisme, mais quil nous engage aussi á travailler plus fortement á la propagation de la foy. A Dieu ne plaise que les *Enfans du Royamme* soyent moins diligens pour cequi les concerne que les *Enfans Decemonde*. Quoyque Je sois *Americain*, et que je mintéresse assés dans les Affaires del'Amérique, Jesus bien Content dignorer plusieurs Choses qui regardent ladestinée de ces Indiens; car Dieu ne nous en parle point dans saparole, et je Serais bien fâche' d'aller consulter *Le Diable*, comme fit le *Père*

*Coton* surcesujet. cependant jene pers pas espérance que ces missions Papales n'ayent préparé le Chemin pour quelque Chose de plus sincere et de plus salulaire; peut-être ontils fait, que'que Chose d'aprochant *aus Prosélytes de la porte*, parmi ces Barbares, qui sont a present mieux en état de receuoir et dàmbrasser une plus grande Lumiere quand il plaira a Dieu de leur enuoyer; la quelle *le pere des Lumieres* veuille hâter! cest dequoy je le prie fortement.

COTTON MATHER.

The membership of the French church in Boston was too small to absorb an edition of such a tract, and it could make no general appeal to the English speaking population of Boston. It may be assumed that it was to be sent to Canada and Western New York, where it might serve to offset the doctrine taught by the French Jesuit missionaries. That a single copy only has been preserved is no proof of this, for works truly popular and printed in large numbers have completely disappeared. Had it been sent to the Huguenots in New York and Carolina, some mention of it might be expected or a second example found. From the bibliographical view it is interesting as being the first work printed in the French language in any English colony on the continent of North America. It evidently strained the knowledge as well as the types of the printer, for, as a rule, he uses only one accent (the grave accent) on the letter *e* and the acute on *a* where the grave should be. If an acute is on an *e* it has been made of a separate piece of type.<sup>1</sup> The wonder is that Green finished the task as well as he did, and his professional pride, somewhat troubled, led him to insert at the end something like an apology or invocation to the reader:

Avèrtissement.

*Le Léc-teur pardonnera d'autant plus aisément les fautes survenues à cètte E'dition que L'imprimeur n'entend ni nôtre Langue ni l'Ortografe. L'on se tiendra pour averti aussi que les Originaus dont il est question, sont conservès surement ici entre les mains du fidele et irrèprochable Ministre Monsieur Mather, afin qu'on y puisse avoir recours en cas de besoin.*

Remarks were made during the meeting by Messrs. WENDELL, LORD, MINOT, and ELIOT.

<sup>1</sup> Exceptions may be seen on the title-page — *trouvés*.

# MEMOIR

OF

## JAMES BRADLEY THAYER

BY CHARLES PELHAM GREENOUGH.<sup>1</sup>

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JAMES BRADLEY THAYER was born in Haverhill, Massachusetts, on January 15, 1831, and died in Cambridge, February 14, 1902. He was elected a member of the Massachusetts Historical Society October 10, 1889, but was not a frequent attendant at the meetings of the Society nor did he take an active part in its proceedings. In 1901 and 1902 he was elected a Member of the Council and served till his death. In the March meeting of 1897 he paid an extended and beautiful tribute to the memory of his former partner George O. Shattuck. At meetings in March, 1893, and in 1899, and in those of February, October and December, 1901, he took part in the discussion of topics introduced by members. In fact he was too busy a man and too deeply interested in other branches of learning to devote much time to historical studies except those relating to the development of the law.

He was a man of singularly acute and judicial mind and was in the highest sense of the word a self-made man. Undiscouraged by many difficulties in his youth he made himself at last a scholar and a man of general culture. He was the son of Abijah Wyman and Susan Bradley Thayer. His father, of good New England stock, was an unsuccessful man and was constantly changing his business. He was at one time publisher of the *Hampton Gazette*, but it was not prosperous and

<sup>1</sup> The writer gratefully acknowledges his indebtedness to Dean Hall's elaborate memoir of Professor Thayer in *Great American Lawyers*.

in 1835 he moved to Philadelphia and engaged in business, but unsuccessfully, and in 1840 he returned to Massachusetts and attempted the culture of silkworms. He then removed to Northampton and was employed on editorial work on the *Hampshire Herald*, but finally this was given up and he became a broker. These details are mentioned to show the difficulties which young James surmounted in his acquisition of an education much beyond that acquired by most boys of far better opportunities. James until the year 1845 attended school in Northampton, earning his board by sundry small services. He worked in a printing office and for eight months in a physician's office. In 1847 while working as a clerk in a grocery store he determined to go to college and in 1848, assisted pecuniarily by kind friends, he entered Harvard College without condition and his career as a scholar began. He was an excellent student and one of the most popular men in his class. He was obliged also to do outside work to pay his expenses and among other things taught school during the long winter vacation. He graduated with high honors in 1852, was elected a member of the Phi Beta Kappa and Class Orator. After graduation he taught school for two years at Milton and began his literary career with a short biography of Fisher Ames, and in 1853 he contributed letters to the *Evening Post* relating to the Far West, which was then the city of Chicago. He was at first attracted to the ministry as a profession, but in 1854 he definitely decided to become a lawyer and returned to Cambridge and entered the Law School, graduating therefrom with high honors in 1856. He was admitted to the Suffolk Bar in that year and became a partner of William J. Hubbard, which partnership lasted until 1864. In 1865 he joined the firm of Chandler and Shattuck and remained in the practice of the law in Boston until 1874, when he was appointed Royall Professor of Law in the Harvard Law School, accepted the appointment and began his real life work.

His success at the bar it is unnecessary to describe in detail. He was not a fluent speaker and his arguments were perhaps too judicial for a successful practice before a jury. He was, however, a thoroughly well-read lawyer and was recognized as such by the bar. He was a contributor also to Bouvier's *Law Dictionary* and the *American Law Review* and assisted in

the revision of the 12th Edition of Kent's *Commentaries*. He also continued his studies and was a frequent and valued contributor to the *Evening Post* and the *Boston Daily Advertiser* and at times to the *North American Review* and the *Atlantic Monthly*. In 1872 he was offered a professorship of English at Harvard College but was unable to accept the position. The offer itself was an unsolicited tribute to his scholarship. He had also added to and kept fresh his knowledge of the Greek and Latin languages and he had the unusual, almost unique, ability to review successfully translations of Lucretius by Johnson, of the *Aeneid* by Cranch, of Plutarch's *Morals* by Goodwin, of Dante's *Purgatorio* by Parsons, of *Faust* by Bayard Taylor, and of Lessing's *Laocoon* by Miss Frothingham. He also wrote criticisms of various works of poetry, and of Mill's *Utilitarianism*. After his connection with the Law School his time was entirely occupied with the law and his specialties in that science.

In 1874, therefore, after eighteen years of practice of the law he took up what was the real work of his life. He began his professional work just at the time of the creation of what was a new Law School. The old professors and their methods had all vanished and Langdell had begun to establish the new system of teaching law by the case method. Professors Gray, Ames, Thayer and Langdell were the founders of the new system which has revolutionized the teaching of law all over the Anglo-Saxon world. The specialty to which Thayer devoted himself was the law of evidence, and early in his teaching he had determined to write a treatise on the law of evidence and for many years he studied the subject and more especially in its evolution from its connection with the jury system. He therefore made an exhaustive study of the older laws of trials, the development of the jury system in England after the reign of Henry II as shown in the early English chronicles, judicial records and legal writings. The result of these investigations was the publication of Professor Thayer's most important single work, *The Preliminary Treatise on Evidence at the Common Law*, published in 1898, and which established firmly his reputation as a writer and student of the science of law. He had previously prepared for the use of his classes in 1892 his *Select Cases on Evidence*, a new edition of which appeared in

1900 and which has proved to be one of the most successful case books ever published, if not the most successful.

Professor Thayer, however, did not confine his interests to that subject only. He became a recognized authority on Constitutional Law, and he published in 1895 his *Cases on Constitutional Law* in two large volumes, containing not only all the great decisions on that subject but also a large amount of historical material illustrating the growth of political and governmental theories. He also used in these volumes extracts from his address on *The Origin and Scope of the American Doctrine of Constitutional Law*, delivered at Chicago in 1893 before the Congress on Jurisprudence and Law Reform.

His reputation as a sound constitutional lawyer led President McKinley to offer him a place on the Philippine Commission in 1900, which honor he was obliged to decline. Nor was it known until after his death that he had drafted a large part of the Constitutions of the two Dakotas.

A widespread recognition of his legal scholarship was awarded to him from various quarters and among others the University of Iowa gave him a degree of Doctor of Laws in 1891, Harvard gave him a similar degree in 1894, and Yale in 1901. He was a member of the American Academy of Arts and Sciences, the Colonial Society of Massachusetts, the American Bar Association, the Association of American Law Schools, the Selden Society and many others.

Of his qualities as a teacher of law his associates and scholars have expressed their unequivocal admiration. Professor Williston, one of his pupils, in an article in the *Harvard Law Review*, describes his method as a teacher.

He was infinitely patient with the poorly gifted but he did not let the limits of their comprehension define the boundaries of the work in his courses. He had little inclination to develop from his own mind a perfectly logical or entirely consistent body of legal doctrine—the effort of his teaching was to show exactly what the law was. . . . Accordingly he aimed to bring out the precise legal significance of each case he dealt with. . . . He never found more in a case than actually was there and nothing that was there escaped him.

The same writer described the man himself in words more apt than I can give:

Few can have attended his lectures without learning more than the legal doctrines which were the direct objects of their study. Something at least of the accurate and careful habits of mind, the patience in wearisome investigation, the absolute intellectual sincerity, the never failing kindness and courtesy which distinguished the teacher must have borne fruit in the minds and hearts of the pupils.

Mr. Thayer as a man and genial companion an old friend describes as one whose daily life was an example and his intimacy an education, and one "in whom to the qualities which make men attractive, sweetness of disposition, nobility of character, dignity of presence, cordiality of manner, thoughtful kindness, there was added the indefinable something which is oftener attributed to women than to men — charm."

He was a man of strong religious faith. His early inclination towards the ministry and his intimate friendship with Emerson gave a vitality and vigor to his Unitarian belief not common among busy men. He was always ready to contribute his share to the success of the yearly Unitarian gatherings and at the 75th Anniversary of the founding of the American Unitarian Association in 1900 he made one of the principal addresses — his subject being "Emerson and Religion." He was also President of the Unitarian Festival. In speaking on the value and use of the Bible, he said: "Let us continue in dealing with this precious and fragrant possession of our sacred literature . . . to deal with it not merely with reverent affection but honestly, also, as those whose chief reverence and affection are set on things behind the book." He however favored honest criticism to save it from the influence of routine and tradition.

In spite of his many occupations Professor Thayer found time to interest himself in public matters. During the civil war he was Secretary of the Executive Committee of the New England Loyal Publication Society, sending out editorials and newspaper articles to the country newspapers — a work of great importance and involving untiring labor. He was also deeply interested in the Indian question which resulted in the passage by Congress of the Dawes Bill, and wrote many magazine and other articles advocating its passage and its proper administration.

His classmate and friend Mr. S. L. Thorndike thus describes his independent interest in public events:

Another aspect in which it would be pleasant to speak of Thayer was his citizenship, in which he was as conscientious as in any daily duty. He did his own thinking and his question upon any proposed measure, whether of the Nation, the State or the City, was whether it was the right thing, not what party or what men had launched it. . . . He could never have been a politician, in the ordinary sense, and could never, even if his busy life had not prevented, have gone into politics to advance the interests of any party or any individual, least of all himself.

His home life was unusually happy. In 1861 he married Sophia Bradley Ripley of Concord. He lived to see his two sons William and Ezra achieve deserved distinction, one as a distinguished physician and the younger as a prominent and successful lawyer.